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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard ffrench-Constant et al.

Serial No.: 10/706,424

Group 1638

Filed: 11/12/2003

Examiner A.R. Kubelik

For: DNA SEQUENCES FROM TCD
GENOMIC REGION OF
PHOTORHABDUS LUMINESCENS

Docket No.: 62878A

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date appearing below.

October 13, 2005

Date

By Dena H. Tuchman

Dena H. Tuchman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response to the Office Action mailed July 13, 2005. A fee authorization for a two month extension of time is enclosed.

Applicants elect to prosecute the claims drawn to Group IV. Please note that SEQ ID NO:10 is not a nucleic acid sequence, but an amino acid sequence. Group IV is being elected on the assumption that it encompasses nucleic acids that encode SEQ ID NO:10.

Respectfully submitted,

Donald R. Stuart

Donald R. Stuart
Registration No. 28,479
Phone: 317-337-4816

Dow AgroSciences LLC
Patent Section
9330 Zionsville Road
Indianapolis, Indiana 46268

Date: October 13, 2005



FEE AUTHORIZATION LETTER

ATTORNEY'S DOCKET NO.
62878A

SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT
10/706,424	November 12, 2003	Anne Kubelik	1638

IN RE APPLICATION OF: Richard H. Ffrench-Constant

FOR: DNA SEQUENCES FROM THE TcD GENOMIC REGION OF
PHOTORHABDUS LUMINESCENS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

- Applicant(s) petition(s) for an extension of time under 37 CFR 1.136 to file the accompanying
- Response within one month of original date due date (\$110.00)
 - Response within two months of original date due date (\$430.00)
 - Response within three months of original date due date (\$980.00)
 - Response within four months of original date due date (\$1,530.00)
 - Response within five months of original date due date (\$2,080.00)

The accompanying papers include amended claims. The fee has been calculated as follows:

CLAIMS AS AMENDED						
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*	MINUS	**	0	\$.00	
INDEP. CLAIMS	*	MINUS	***	0	\$	\$.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 00	

* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The following other fees are incurred by the accompanying papers.

Transmitted herewith is Petition Pursuant to 37 CFR 1.48(b) for which the fee is due in the amount of

Transmitted herewith is an Information Disclosure Statement under 37 CFR 1.97(c), for which the fee under 37 CFR 1.17(p) is

Transmitted herewith is petition for two (2) month extension of time under 37 CFR 1.136, for which the fee under CFR 1.17(a)(3) is \$450.00

Please charge Deposit Account No. 04-1529 in the name of Dow AgroSciences LLC in the amount of \$450.00. Two copies of this sheet are enclosed.

The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application or credit any overpayment to Deposit Account No. 04-1529.

**Dow AgroSciences LLC
Patent Section**

9330 Zionsville Road
Indianapolis, Indiana 46268-1054
January 20, 2005

Donald R. Stuart
Agent for applicant(s)
Registration No. 28,479
Phone No.: (317) 337-4816

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date appearing below.

October 13, 2005
Date

By
Dena H. Tuchman